
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH ZAWATSKY, et al.

Plaintiffs

v.

JEDDO STARS ATHLETIC
ASSOCIATION, et al.

Defendants

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DOCKET NO: 17-621

BRIEF IN SUPPORT OF MOTION FOR ATTORNEY FEES AND COSTS

STATEMENT OF RELEVANT FACTS

On 10/23/2017, this Court granted Plaintiffs' Motion to Strike/Remand. In doing the same, this Court allowed Plaintiffs to seek attorney fees and costs related to their efforts resisting removal. Plaintiffs have a contingency fee agreement with Plaintiffs' counsel. The Agreement specifically provides for an hourly rate of \$400 for Plaintiff's counsel. The last fee petition that Plaintiffs'

counsel submitted and was approved provided that Plaintiff's counsel be awarded an hourly rate of \$275¹.

DISCUSSION OF THE LAW

As this Court correctly states, the award of fees and costs are recoverable if removal is objectively unreasonable. Plaintiff's counsel accumulated 9.2 hours in resisting removal in this matter. (See Exhibit "A"). Plaintiffs incurred the cost of \$38.75 for the transcript of the proceedings in state court that was used to show Defendants requested and was granted jurisdiction with Judge Amesbury presiding over the case. Consequently, Plaintiff seeks 9.2 hours in attorney fees.

CONCLUSION

For the preceding reasons, Plaintiff respectfully requests that this Court grant her motion for attorney fees and costs.

Respectfully Submitted:

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¹ Davis v. Fox, 12-1660, Doc. 173, dated 11/9/2016.

CERTIFICATE OF SERVICE

Cynthia L Pollick, Esquire, hereby certifies that on November 1, 2017, she served a copy of Plaintiffs' Brief by serving a copy via electronically on Defendants' counsel:

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